

By: Stephenson

H.B. No. 681

A BILL TO BE ENTITLED

AN ACT

relating to the inclusion of territory of a municipality in a proposed county assistance district.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 387.003(b-1), Local Government Code, is amended to read as follows:

(b-1) If the proposed district includes any territory of a municipality, the commissioners court shall send notice by certified mail to the governing body of the municipality of the commissioners court's intent to create the district. If the municipality has created a development corporation under Chapter 504 or 505, the commissioners court shall also send the notice to the board of directors of the corporation. The commissioners court must send the notice not later than the 60th day before the date the commissioners court orders the election. ~~[The governing body of the municipality may exclude the territory of the municipality from the proposed district by sending notice by certified mail to the commissioners court of the governing body's desire to exclude the municipal territory from the district. The governing body must send the notice not later than the 45th day after the date the governing body receives notice from the commissioners court under this subsection. The territory of a municipality that is excluded under this subsection may subsequently be included in:~~

~~[(1) the district in an election held under Subsection~~

1 ~~(f) with the consent of the municipality, or~~  
2 ~~[(2) another district after complying with the~~  
3 ~~requirements of this subsection and after an election under~~  
4 ~~Subsection (f).]~~

5 SECTION 2. The change in law made by this Act applies to  
6 notice sent to a municipality by a commissioners court under  
7 Section 387.003(b-1), Local Government Code, as amended by this  
8 Act, on or after the effective date of this Act. Notice sent before  
9 the effective date of this Act is governed by the law as it existed  
10 on the date the notice was sent, and that law is continued in effect  
11 for that purpose.

12 SECTION 3. This Act takes effect September 1, 2019.